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VIRGINIA LAW REGISTER.

VOL. V.]

OCTOBER, 1899.

[No. 6.

SUGGESTED CHANGES IN OUR JUDICIAL SYSTEM.*

A Constitutional Convention should not be long deferred in Virginia. The recent failure to secure the requisite decision in favor of such a Convention by a majority of the qualified electors was due, not so much to the fact that our people did not wish a new constitution, as to their apprehension that just at that time partizan politics might have played too prominent a part in the Convention, and conservative citizens preferred our present constitution rather than risk getting a worse from such a body as it was feared would be chosen to compose the Convention. Moreover, in the main, our present constitution, considering its source, has proven a marvel of excellence, and needs not much more than such amendments as by its provisions can emanate from the General Assembly. However, believing such a Convention should be, and indeed soon will be, called, and that the bar is peculiarly responsible to our people in such matters, and deeming it unwise to defer due consideration of desirable changes until the warmth of discussion may warp our judgments, it has seemed to me opportune at this time to suggest to you certain changes, constitutional and legislative, in our judicial system. Herein we lawyers live and move, and have our being, and for its faults we are most to blame, as by its excellencies we become most benefited.

I had hoped to present to you a thorough comparison of our present system with what we have had in Virginia aforetime, and also to compare ours with those of our sister States, but I found myself unequal to the task, both from want of ability and of time, and because in my remote locality I could not get access to adequate library resources. Besides, the excellent papers of R. G. H. Kean in 1889, of Waller R. Staples in 1894, and of Francis H. McGuire in 1895 (alas! all three now numbered amongst our most honored dead), in a measure covered this ground, and yet I trust a thorough and philosophic pre-

*An address before the Virginia State Bar Association, Hot Springs, August 1, 1899, by James P. Harrison, of the Danville Bar.

sentation of the subject may be made next year by an older and abler man than myself; and here I would nominate for this duty that learned lawyer who, having won such high fame as a professor in one of our great law schools, has just been elected to a chair in our State University, than whom no man better qualified for this great work can be named.

I shall simply give you these suggestions which follow, leaving them to excite the discussion which I hope will provoke a thorough consideration by us of this most important subject.

I court your criticism. I pretend to no other merit than the honest expression of my own conclusions from twenty-two years of practice in our courts, and not from the theories of a mere student.

I assume acquaintance on your part with our system. I shall not cite from statutes, text-books, or reported cases, nor pretend to learning I do not possess. I prefer to tell the practical story of my experience and give you such suggestions of change as that experience has led me to believe best to be adopted.

The following are pertinent to all courts and all judges:

FIRST: A constitutional amendment should be secured, absolutely prohibiting any judge of any court of record from ever practising law during his term of office.

Judges of our county courts all practise their profession in the circuit courts of their own counties, and freely in all other courts. Some judges of our corporation courts do likewise. The obvious objections to this most obnoxious feature in our system all admit, and the excuse is that their inadequate salaries compel these judges to supplement the paltry pay by practising law, and that until adequate salaries are paid we must submit to such judges as thus combine these incompatible offices.

No judge should be placed in the position of having to hold a court where his client may be a litigant. No client should be tempted to employ as counsel in one court the lawyer who as judge must decide his case in another court. The mere possibility of such a thing is offensive, and the evils of this prevalent practice in Virginia need no expression. It is a false public economy which, for a reduction of salaries, sacrifices a competent and irreproachable judiciary, and compels any of our judges to combine the wholly incompatible offices of sitting upon a bench and practising at a bar.

SECOND: *The constitution should clearly provide that every judge when elected shall hold office for the full term prescribed by law.*

Mr. Kean, in his excellent paper read before this Association in 1889, says on this subject:

"The late Court of Appeals decided in four separate cases that all judicial elections were for a full term. The present (1889) court has decided that elections to fill vacancies are only for the unexpired fraction of a term. The next court may recur to the opinion of the former court. The uncertainty is in every way undesirable." (Report of First Annual Meeting of the Virginia State Bar Association, p. 148).

Our present court has had no such case before it. Doubtless most of us concur with the able dissenting opinion of Judge Lewis in *Burks v. Hinton*, 77 Va. Rep. 41. Yet some may agree with the majority of the court. Certainly all of us must agree with Mr. Kean, "this uncertainty is very undesirable." If we must submit to the construction given by *Burks v. Hinton*, we cannot doubt the unwisdom of having the terms of all judges of any class of courts end at the same time. This leads to dragging the bench into the quagmire of politics, and gives to partizans under their base principle, 'to the victors belong the spoils,' the incentive to wholesale changes of the judges, so that we may in the future, as alas! we have done in the past, find our courts with hardly a judge on any bench of judicial experience, or, what is worse, have lawyers made judges, not from fitness of mind or character, but because of a vote for a successful party.

The constitution should be so amended as to obviate this, and to prescribe plainly that every judge, whether elected at the final and full expiration of a term, or when his predecessor has been cut short of his rightful term, should be elected for the full term prescribed by law. If this were so, then, without resort to the plan suggested by Mr. Kean in 1889, and approved by Mr. Parker in 1897, gradually we would have, by the chances of death, or resignation, or removals, the terms of all judges of all courts expiring at various times, and instead of electing all the judges of any class of our courts at one time by the same General Assembly, leading to the gross evils of combinations, wire-pulling, and clever party handling, we would not only avoid this and secure better judges, but we would escape the great evil of having an entirely new and inexperienced bench at any time.

I agree with Mr. Kean that the election of judges by the General Assembly is preferable to the election of judges by the people, but I

do not so agree if the present construction is to stand. I suggest, then, that as soon as practicable, even before a Convention, an amendment to the constitution be secured making it plain that every judge when elected to his high office shall be for the full term thereof. I should prefer to recur indeed to the life tenure for all judges, certainly *dum bene gesserint*.

THIRD: But directly pertinent to this suggestion I presume to present another, which in all the discussion of this subject seems to have never been made.

I would *inhibit by the constitution any member of the General Assembly from being eligible by that body to any judgeship*.

I have known where, falsely or truly, scandalous stories have been circulated of the political practices used to secure the election to a judgeship of a member of the very body which was charged with this exalted duty, or of one who had recently resigned therefrom, after fixing his fences so safely as to prevent all possible success of any competitor. I cannot too highly commend the open letter of our friend, Mr. Robert G. Southall, of Amelia county, recently published on this subject. I believe such a provision will receive universal commendation.

Having made these three suggestions as pertinent to all judges of all courts, I beg leave to present a few as to the several classes of courts, not pretending to do so in any philosophic manner, but just after a fashion to provoke discussion and criticism.

THE SUPREME COURT OF APPEALS.

Gowning the judges.—On the whole, I believe this court is all we can wish. I think it should be gowned; indeed all judges should be required to wear the gown. I cannot conceive a more magnificent front than our present Supreme Bench would present in their judicial robes. I well recall upon my only appearance before the Supreme Court of the United States, to which exalted forum I had the honor of being introduced by my associate, the eminent and distinguished S. Teackle Wallace, of Baltimore, how I was impressed by that bench in its robes. I know that the judges of our present Court of Appeals need no such paraphernalia, nor does the judge of my corporation court, nor my circuit court, need any such paraphernalia, to secure from all the respect and honor due to the bench; but this is not always so.

Pardon me for introducing here for your diversion a humorous scene I once witnessed which could scarcely have been so ludicrous had the eminent judge who figured in it been in a gown. He sat on the bench, with his feet up before him, as was his custom, showing their soles to the bar and bystanders. Counsel for the defense had offered a little negro as a witness for their client, and the commonwealth's attorney challenged the witness as too young to testify. When the pickaninny had been sworn on the Holy Evangelists, he was asked by the commonwealth's attorney what he had done. "I swared."

"And what will happen to you now if you tell a lie?" the lawyer roared.

"My mammy she'll whip me."

"Is that all?" insinuated defendant's attorney.

"No, sah; de debble he'll git me."

And then this judge took his feet down, and leaning over the bench, with menacing finger, said:

"Yes, and I'll get you too, sir!"

When quick as a flash came the boy's ready reply:

"Boss, dat's jess what I done said."

And the witness was accepted, while once more the judicial soles stared the bar in its face.

This judge was never reversed by the Supreme Court. He lacked due dignity of demeanor, and had he been in his robes, he could not have so violated the proprieties of the bench; nor would he have been exposed to such an incident.

I think we would do well to require our judges to always don the gown when on the bench, but this is of no great consequence.

One place of session.—Article VI, sec. 7, of the Constitution reads:

"The Supreme Court of Appeals shall hold its sessions at two or more places in the State to be fixed by law."

It actually does hold its sessions in Richmond, Staunton and Wytheville. It is needless to discuss why this was or is required. Suffice it to say, there is no longer any reason or justification for its being done, but every reason otherwise. When by the telephone immediate conversation can already be held with the Clerk of the Supreme Court at Richmond, when the facilities of intercourse and travel are such now as to put the remotest sections of the State within twenty-four hours of the capital city, I cannot see why this should be continued. It results in having three Supreme Court libraries, more or less indifferent,

in the expense of three clerks where one would do, and in the expenses at Wytheville and Staunton of buildings, librarians, etc., uselessly. It also necessitates the records and archives of this our highest court being kept in three several parts, in three different places, instead of in one, thus causing at times much worry to counsel and to court.

On the contrary if these sessions were held at Richmond alone, as is eminently proper, we save the expense of the clerks and librarians at Staunton and Wytheville and other expenses; we secure a better library, we concentrate the records and archives at one point, and we have, as we should have, this our highest court, in its entirety at our capital city.

The only objection worth mentioning is that the judges will be kept at one place so long, whereas, I take it, their sojourn in Staunton and Wytheville is a recreation to themselves and a benefit to those sections of the State. Of course the office-holders and local bars will resent this, but not for long, because it is so manifestly desirable from every point of view. This amendment also should emanate from the General Assembly, and be secured as soon as possible.

Printing records.—A third suggestion as to our Supreme Court of Appeals is one which can certainly be put into effect by the General Assembly. It refers to the printing and preservation of the printed records. It requires no amendment of the constitution.

At present the clerk of the lower court makes a copy of the record as prescribed by statute, and this accompanies the petition for an appeal, writ of error or supersedeas; and if the same is granted, the clerk of the Supreme Court causes at least twelve copies to be printed by printers who are to bid annually for this work. In practice, then, the clerk of the lower court makes a copy of the record, and the clerk of the Supreme Court is presumed to make a copy of this original copy for the printer, although, in fact, I am advised, he does no such thing, yet charges under the law full fees therefor; the original copy and petition are filed away, and can be referred to to substantiate or correct the printed record. This greatly increases the cost. I suggest that the petition and record after appeal, etc., allowed, and after the cause has been duly docketed in the Court of Appeals, be sent by the clerk of this court to the clerk of the lower court at the same time that the summons is issued, and that the appellant have the right to have this record printed from this copy where and by whom he pleases, under such contract as he can make, all to be done under

the supervision of the clerk of the lower court, who shall compare the printed record with the original, and furnish counsel on both sides with due notice of the printing, that they may have access to the proof sheets, and thus receive an absolutely correct printed record. This printed record alone is to be filed in the clerk's office of the Supreme Court, duly certified by the clerk of the lower court as the original.

This would do away with a second copy to be made as now provided by the clerk of the Supreme Court. It would secure a comparison of the printed copy with the original records, and it would enable counsel to make contracts as they pleased with the printers anywhere they choose, for the printing.

Binding briefs and records.—To the end of preserving the records, it should be provided by law that all records and all the printed briefs should be in uniform type, upon paper of uniform size and quality; and I most earnestly suggest that a law be passed requiring the clerk of the Supreme Court of Appeals to bind all records and briefs filed therewith in volumes, to be numbered corresponding with the reports which contain the opinions in such causes. Such binding need not be expensive, and indeed can be done for a mere song when all the records and briefs are thus made of uniform size. I cannot conceive a greater treasure-house than would thus be secured in our Supreme Court clerk's office. We all know that it is almost impossible in very important adjudicated cases to find the complete records and briefs of counsel, because the same have been carried away, often by members of the Supreme Court, and never returned. But by adopting this suggestion the records and briefs in all cases reported in any volume of our State Reports would be bound in volumes bearing the corresponding number, and kept in the clerk's office, never to be taken out by anybody. The great value in great cases of the arguments of counsel all appreciate. In Leigh's Reports much attention was paid to this. So in the United States Supreme Court Reports. Of course much, very much, trash would thus be kept, but who could tell when the record and briefs in a reported case might not throw light upon an opinion which would differentiate it or substantiate the principles contended for.

As to the printing by the parties under the supervision of the clerks of the lower court, this, I believe, is done in North Carolina, and in other States, and it proves to be altogether satisfactory, lessening the

costs to litigants, relieving the clerk's office of the Supreme Court of much rubbish, and tending to secure more expeditious decision of causes. Of course the fees of the clerk of the Supreme Court would be lessened, but by carrying out the first suggestion and consolidating all appellate business at Richmond, the clerk should be paid a good salary and get no fees, and the relief from proof-reading and other demands upon his time incident to the proper printing of these records would largely enable him to discharge the combined duties of the three offices without trouble. What a treasure-house the clerk's office of our Supreme Court would be, did it contain to-day, in bound volumes, the records and briefs in the great causes in our older reports. Indeed, in so recent a case as *Thomas v. Lewis*, already the splendid brief of counsel is hardly to be had, a brief of such merit that its publication as a treatise on gifts *causa mortis* might well be hoped for.

By this suggestion, then, I would secure the uniformity of all records and their preservation, the lessening of the expenses to litigants and to the State, and a relief to the clerk, so as to enable him the better to fulfill the larger duties devolving upon him by doing away with the Wytheville and Staunton offices.

So much for the Supreme Court.

THE CIRCUIT COURTS.

Salaries of judges.—As to the circuit courts, I have only one suggestion, so often made before: that the salaries of the judges are grossly inadequate, and that the best plan of securing efficient circuit courts is to have the General Assembly diminish the number of the circuits and re-arrange them, as can be easily done, so as to meet every requirement, and get the best lawyers on these benches. Until recently there were eighteen judicial circuits. A few years ago, upon the death of the lamented Judge Berry, the fifth circuit was abolished, and the county of Appomattox was added to the third circuit, the city of Lynchburg and Campbell county were added to the fourth circuit, and the counties of Amherst and Nelson were added to the sixth circuit, thus giving the judge of the third circuit a salary of \$1,900, the judge of the fourth circuit a salary of \$2,300, and the judge of the sixth circuit a salary of \$2,200, whereby these excellent judges were induced to remain on the bench, receiving satisfactory salaries. This re-arrangement of these circuits was done without diminution of the efficiency of the courts. (*Vide* Acts of Assembly 1895-6, p. 273).

Thus we have a practical example of the practicability of the scheme which I shall now suggest.

Exclusive of mileage, the aggregate salaries paid to the seventeen circuit judges is \$30,000. By re-arranging these into ten circuits, and paying each judge \$2,500, there would be a saving of \$5,000 in the salaries, and the best lawyers could be secured to fill the bench. The mileage for the circuit judges for 1897 aggregated \$2,827, and I believe a law could be passed, which would be respected by all the railroad and steamship companies, requiring them to issue annual passes to all the judges of all courts. They do so now cheerfully as gratuities. Some judges accept and some refuse to accept these courtesies. They are deemed by the public as scandalous bribes, but in fact it is not to be believed that the railroad companies so intend them, or that the judges could be so easily purchased. As a railroad lawyer, I know the potential influence of "a pass," but I have never known one issued to a judge or accepted by a judge with any such sinister motive. The passage of such a law would correct in the mind of the public its idea of this being done as a bribe; it would be a deserved tribute from these great corporations to the State which fosters them, and while doubtless no such law could be enforced, no company would refuse to comply with it. Thus these public officials, by virtue of their office, not by the grace of the companies, would all enjoy the lawful privilege of free passage, and the mileage would be saved so that the adequate salary of \$2,500 would be all a judge would cost.

It is certain that the salaries of our circuit judges are grossly inadequate. These courts are of the highest importance, and, with such judges as should fill their benches, would prove a great blessing to our people. The bench with such paltry pay, instead of being the honorable goal to which every lawyer should aspire, is rather shunned by the successful, and coveted by those whose failing fees prove their unfitness, or accepted at a sacrifice by the qualified, who yield to the solicitations of fellow-citizens, and for the honor of the exalted position, give up the better pay of their profession. I deem nothing more necessary, even from considerations of public economy, than that the salaries of our circuit judges should be increased. I really see nothing to complain of in these courts, except in these small salaries, and possibly in the arrangement and number of the circuits, and by a judicious change in the latter I think we can correct the former.

THE COUNTY COURTS.

This brings me to the county courts, which were created, as we now have them, by our present constitution, and have proven to be, from every point of view, the most expensive, inefficient and unsatisfactory tribunals ever devised. These courts should be abolished. I believe there should be in every county a monthly court, but it should be a court of more consequence than what it is, and with larger jurisdiction; it should be presided over by a judge who commands the respect of the people, and deserves the confidence of the bar.

I hesitate to present my crude suggestions on this most important subject.

The poor man, with his small case, is entitled to receive as good law at the bar of justice as the rich man with his great case can secure. We know what travesties upon justice we meet with in the magistrates' courts, and we often find little better in the county courts. These latter should have enlarged supervision over the former, and should be presided over by competent judges, who shall not practise law at all, but who shall be paid adequate salaries, and have corresponding jurisdiction.

Clerks with judicial functions.—To this end I suggest that the clerks of all county courts be given larger powers as to probat of wills, opening of roads, settlement of accounts, etc., and all *pro forma* procedure, after the manner of the clerks of the Superior Courts of North Carolina, with appeal of right to the county court. I am sure in this manner much of the matter that now engages the attention of our county courts will be eliminated. The county judge might be required regularly to supervise these proceedings before the clerks, and thus ensure proper performance of duties which come very close to the most helpless and needy part of our population.

Years ago no deed could be admitted of record except by order of the court; now the clerks discharge this important duty efficiently and satisfactorily. So there are very many matters now necessary to be passed upon by these courts which might be safely committed to the clerks, acting *pro hac vice* as judges.

Arranging into districts.—I would arrange the counties and corporations into districts, reducing the number of judges, and securing to every county and corporation a monthly court, to be held by a competent judge, whose salary shall not be less than \$2,000. I will not

weary you by a tabulated statement, nor endeavor to arrange these districts. I can take for illustration my own city of Danville, the county of Pittsylvania in which it is located, and the county of Halifax, which adjoins.

In Danville, we enjoy the blessing of having as good a judge as ever sat upon a bench. We have four criminal terms, four quarterly terms for civil business, and four chancery terms, and the jurisdiction is similar to that of our circuit court. The county of Pittsylvania and the county of Halifax, two of the largest and wealthiest counties in the State, have each a county court presided over by excellent judges, far beyond the average, and I select these because I cannot be thought in attacking the system to intend any personal reflection upon the incumbent judges. Both of these judges, however, by reason of the meagre salaries received, are compelled to practise their profession. This is deplorable and vicious. It ought never to be. The office of a judge does not permit its incumbent to descend into the bar of any court. *A judge should not have a client.*

A single judge could easily hold a monthly term in Danville, in Halifax and in Pittsylvania, by so arranging the business as to have the civil and criminal terms of the county courts fall in other months than the like terms in Danville. I would preserve the jurisdiction as now of the corporation courts, but I would not give to the county courts any chancery practice. However, I would enlarge their common law jurisdiction, and I would give to the clerks of these courts much of the *pro forma* work which must now be done by the county court.

The judge of such a district should receive at least \$2,000, and where his district embraces a city he should receive \$2,500. These salaries would command competent lawyers as judges, and thus the poorest people in their petty matters, often of far more consequence to themselves than the larger matters are to the parties who litigate these in the higher courts, would be given the administration of justice by men of ability and character and of learning.

A study of the cost of the present county courts will show that it can be greatly lessened by such an arrangement of the counties into districts, and, with their enlarged jurisdiction, the business of the circuit courts would be diminished, so as to enable them to serve as intermediate courts of appeal from the county courts within prescribed limits.

Commonwealth attorneys.—Furthermore, I would do away with the present system of commonwealth's attorneys for each county, and have district attorneys for each such district, who shall attend the courts so held by these judges, thereby lessening the cost to the Commonwealth materially, by diminishing the number of these attorneys, and procuring for such offices a better class of men, whose terms of office should be made longer, and their compensation be increased, imposing upon them enlarged duties, with adequate pay and corresponding distinction, so as to make these district attorneys not mere prosecutors of criminals, but the efficient and active counsel of the clerks in their proposed quasi-judicial functions, as well as of other county officers

Mr. Kean, in his admirable paper read before this Association in 1889, dwells upon the necessity of orphans' courts in Virginia, and no one can deny the value and weight of his words, but I believe the clerks of the county courts, supervised by the district judges, and advised by the district attorneys, can efficiently and adequately discharge most of the duties referred to by Mr. Kean, and, indeed, I propose to have the county clerk's office made so largely ancillary to the county court that it will become something more than the mere place to keep the records, and be, rather, the always open source and fountain of justice to all the people. These clerks are about the best paid officials in the State. Their duties are largely ministerial—purely clerical. I admit their importance, but I am of opinion they can aid us much in the solution of a better county court system.

Thus we will secure, at less cost to the Commonwealth, better county courts, and the administration of justice to all classes of people promptly and efficiently, through the clerks of the counties, the district courts and the district attorneys.

But with regard to this question of the mere cost about which so much ado is made, it is well enough to understand that cheapness never is a mark of merit, and the most costly course is to sacrifice quality for the mere matter of money. A well paid and efficient judiciary, constituted of men of character and competency, will be the most economical expenditure the Commonwealth can possibly make.

In conclusion, I can but offer apology for the disconnected suggestions which I have presented, without pretense on my part of any philosophic arrangement; but from these may come the stimulus to others of you, by candid criticism, but I hope not with ridicule, to take up this task, that when the call for a convention comes we shall

be ready to respond with an intelligent and satisfactory answer, at least on this subject, for which we are peculiarly responsible.

In a printed address, “Christianity and the Law,” before some bar association, that eminent divine of the Presbyterian Church, Rev. B. M. Palmer, D. D., of New Orleans, paid our profession a tribute as deserved as it is memorable, which I remember to have heard him say in substance in a sermon at the University of Virginia years ago. Here it is:

“It is not for me to eulogize your splendid vocation. It is the highest encomium to pronounce that you are indispensable to society. My observation has been that the moral tone of every community is determined by the character of its bar. In every part of the civilized world it is the leading influence by which society is silently moulded.”

Lofty words, my brethren, are these, and appropriate to quote upon this occasion, because we cannot fulfill these exalted duties properly except through a satisfactory judicial system. Our greatest Chief Justice’s burning words, so often quoted, “The greatest scourge an angry heaven ever inflicted upon an ungrateful and a sinning people—an ignorant, a corrupt or a dependent judiciary,” become many fold more full of meaning to us if we thus regard our profession in this high and noble light, and surely no bar on earth can look back upon a past more glorious than the bar of Virginia.

This century is closing in great contrast to the last years of the eighteenth century. Its shot and shell, its wars, its political upheavals, the shadow of the Corsican eagle in his splendid career, the aftermath of the dire French Revolution, the birth throes of our own Republic, with their product of such magnificent men and splendid principles, fall into smallness when we contemplate what now confronts us in this our own beloved land in these last years of the century.

It was De Tocqueville who, having studied our institutions, and praised them as the best product of a wise patriotism, yet predicted that they could not last much beyond a century; that when wealth became concentrated in the hands of a favored few, and the many were made more and more “hewers of wood and drawers of water,” that a stronger arm would be needed, and the liberty-loving Union of free and independent sovereign States could not exist, but would become welded into a centralized nation, which by might could compel the submission of its discontented classes to the ever-increasing de-

mands of the overwealthy, who would lack the lofty ideals of generations of noble birth.

I have ever thought the victory at Appomattox preserved the Union, but destroyed the United States. To-day I feel this to be surely true, when we are being driven, whether by that divinity which, with nations as with men, "shapes our ends," or of our own ambitious avarice, to surrender the cherished principles of peace and home for the bitter fruits of foreign conquest. Moreover, the monopoly of old did not compare in its menace to liberty and danger to individual effort with the corporations of this day and generation.

Bulwer says in *Kenelm Chillingly*: "The greatest happiness of the greatest number is best secured by a prudent consideration of number one." But to-day "number one," the individual man, is being eliminated from life as a factor. He is a mere peg, a cog in a wheel. Between the nether millstone of anarchy and socialism and the upper millstone of aggrandized wealth, the common man is liable to be ground to powder.

Brethren of the bar of Virginia, we must breast this storm. The brunt of its fury we must bear. Nothing is so much needed to aid us in opposing the socialism and anarchy from beneath, which would abolish all courts, or the accursed avarice and greed of the shortsighted combinations of money-getters from above, which propose to purchase justice, so-called, to suit their own ends, as to secure in Virginia a sound and well-balanced judicial system, a judiciary, fearless, independent, irreproachable, wise and efficient; a judicial system which will demand justice for the poorest, and ensure justice to the richest; which will be a bulwark to withstand the eruptions of malcontented masses, a shield to shelter the weak and oppressed from the strong and aggressive. That is what we need, and what we should and can have.

I trust, then, that my words may become as seeds sown in good ground to bear fruit a hundred fold to our betterment, to the preservation of our liberties, to the security of society, and to the general good of our beloved Commonwealth of Virginia.